

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

ANDREW GRIFFIN

PLAINTIFF

VERSUS

CIVIL ACTION NO. 3:07-cv-416-WHB-LRA

**DESKA VARNADO AND
MCCOMB POLICE DEPARTMENT**

DEFENDANTS

FINAL JUDGMENT

This cause is before the Court, *sua sponte*, for consideration of dismissal. As reflected in the Memorandum Opinion and Order of the Court issued this day, Plaintiff's claims are not cognizable under 42 U.S.C. § 1983. Consequently, it is hereby, ORDERED AND ADJUDGED that this cause be dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), with prejudice, for failure to state a claim upon which relief may be granted.

Since this case is dismissed in accordance with the above mentioned provision of the Prison Litigation Reform Act, it will be counted as a "strike" pursuant to 28 U.S.C. § 1915(g).

SO ORDERED AND ADJUDGED, this the 24th day of October, 2007.

s/William H. Barbour, Jr.

UNITED STATES DISTRICT JUDGE